

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

PAUL M. LEMPERLE,

Defendant.

1st STIPULATION/ORDER

07-M- **126 RFT**

Hon. Randolph F. Treece

THIS COURT has not previously ordered any time period excluded from Speedy Trial calculations,

IT IS HEREBY STIPULATED, by and between the parties to this action, Glenn T. Suddaby, United States Attorney for the Northern District of New York, Thomas Spina, Jr., Assistant United States Attorney, of counsel, Gene V. Primomo, Esq., on behalf of defendant **Paul M. Lemperle** that the time period between complaint and indictment be extended for ninety(90)days from the signing of this order and that this time be excluded from speedy trial computations under the provisions of Title 18, United States Code, Section 3161(h)(8)(A). The purpose of said exclusion is to allow for the U.S. Probation Department to complete the pretrial diversion investigation.

Note: this exclusion shall pertain to all defendants, in the interest of justice and pursuant to Speedy Trial Act, unless a motion for severance is granted.

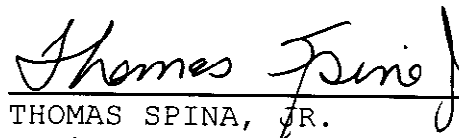
- Date of indictment: _____
- Date of initial appearance and/or arraignment: _____
- Defendant custody status: _____
- Date of detention hearing: _____
- Date of any previous exclusions granted and the length of such exclusions as to all defendants in above case: _____
- Exclusion concludes: _____
- Motions shall be filed: _____
- Motions shall be made returnable _____
- Trial date/Plea date _____

In addition, the ends of justice to be served by the granting of said continuance will outweigh the interest of the public and of the defendant in a speedy trial.

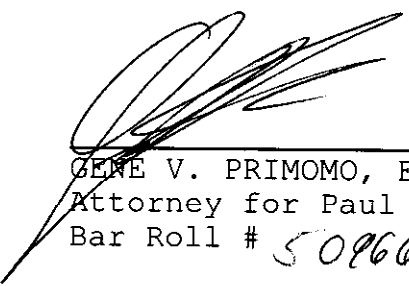
Dated: May 2, 2007

GLENN T. SUDDABY
UNITED STATES ATTORNEY

BY:


THOMAS SPINA, JR.
Assistant U.S. Attorney
Bar Roll #102653

Dated: May , 2007



GENE V. PRIMOMO, ESQ.
Attorney for Paul M. Lemperle
Bar Roll # 509668

* * * * *

IT IS SO ORDERED

Dated: May 2, 2007



HON. RANDOLPH F. TREECE
U.S. MAGISTRATE JUDGE